

REMARKS

Favorable reconsideration of this application is respectfully requested in view of the following remarks.

Following the Amendment filed on March 27, 2006, a Notice of Non-Compliant Amendment was issued indicating that the claims were not provided with the proper status identifiers. This Amendment is being submitted in response to that Notice and presents the amended claims with the appropriate status identifiers in accordance with reissue practice.

By way of this Amendment, Claims 8, 9, 12, 13 and 14 are being amended relative to the versions of Claims 8, 9, 12, 13 and 14 submitted with the reissue application. Attached to this Amendment is a paper identifying the changes to Claims 8, 9, 12, 13 and 14. New Claims 17-19 are also presented for consideration.

This reissue application was filed with amended versions of patent Claims 1 and 4, and original patent Claims 2, 3, 5 and 6. Those claims remain pending and are not changed by this Amendment. This reissue application was also filed with new Claims 7-16. Those new claims remain pending in this application, with new Claims 8, 9, 12, 13 and 14 amended by way of this Amendment. This Amendment also presents new Claims 17-19.

The undersigned expresses appreciation to Examiner Simone for his time and attention during the interview that was conducted at the U.S. Patent and Trademark Office on February 13, 2006. The remarks below discuss the substance of the interview.

One issue discussed during the interview involved the wording in the previously submitted Declarations Under 37 C.F.R. § 1.175. During the interview,

the undersigned proposed wording for the Declarations reciting that Applicant acknowledges the duty to disclose all information known to the Application to be material to patentability of the above-identified reissue patent application in accordance with 37 C.F.R. § 1.56(a). The Examiner indicated that such language would be acceptable. Submitted with this Amendment are Supplemental Declarations of the inventors setting forth this language. Accordingly, withdrawal of the objection to the previously submitted Declarations is respectfully requested.

Page two of the Official Action sets forth an objection to the drawings based on the observation that the drawings do not illustrate a "fixing pin" as recited in various claims. Based on the discussions during the interview, it is understood that this drawing objection is based on the observation that the specification does not use the phrase "fixing pin." As pointed out during the interview, the fixing pin is illustrated in, for example, Figs. 6 and 9 and is designated by reference numeral "46". Also, lines 42 and 58 of column 5 of the original patent refer to the "fixing pin." Nevertheless, to address the Examiner's concern, the term "fixing pin" in the previously submitted versions of Claims 8, 9 and 14 has been changed to --pin--. Support for the term "pin" exists at a number of places in the original patent, for example in lines 21, 26 and 31 of column 5. In light of the foregoing, withdrawal of the drawing objection is respectfully requested.

The Official Action also sets forth a rejection of Claims 1-16 based on the first paragraph of 35 U.S.C. § 112. In particular, the Official Action inquires about where support exists in the original disclosure for certain claim recitations. In response to the various points raised in the Official Action, the following is noted.

With respect to the recitation in Claims 1, 7 and 10 reciting that the longitudinal knives possess a smaller cross section than the size of the openings in the transverse knives, and the longitudinal knives are loosely disposed in the openings with a relatively large play, the description beginning in line 12 of column 4 of the patent describes the openings in the transverse knives that are in register with one another and are so designed that a longitudinal knife can be slid into them. This portion of the original patent also describes that the longitudinal knives are loosely disposed in the openings with a relatively large play. In addition, Figs. 8, 10 and 11 depict examples of the openings in the transverse knives, illustrate that the knives possess a smaller cross section than the size of the openings in the transverse knives and show that the longitudinal knives are loosely disposed in the openings.

With respect to the "means" recitation in Claims 1, 7 and 10, the description at the end of the first paragraph in column 2 of the original patent refers to the means. In addition, the patent describes several examples of the means for preventing/means for securing. For example, the description beginning in line 17 of column 5 describes the pin(s) 46 that prevents displacement of the longitudinal knives in the longitudinal direction, prevent longitudinal movement of the longitudinal knives relative to the transverse knives and secure the longitudinal knives from longitudinal displacement relative to the transverse knives. Figs. 6 and 8 also illustrate the pin(s). Additionally, the description beginning in line 5 of column 6 describes several other alternatives for such means, with such alternatives being illustrated in Figs. 14-17.

Claim 9 recites that the cross section of the openings in the longitudinal knives is greater than the cross section of the pin. The description in, for example,

lines 24-27 of column 5 of the original patent describe that the diameter of the openings in the longitudinal knives is greater than the cross section of the pin 46.

Fig. 9 also provides support for this feature.

Claim 11 sets forth that the openings in the transverse knives possess a size greater than the cross-section of the longitudinal knives, with the openings having recesses aligned with the longitudinal knives, and with the leading and trailing edges of the longitudinal knives being received in the recesses. The description in the original patent beginning in line 44 of column 4 and extending to the top of column 5 describes the leading and trailing edges of the longitudinal knives 38, the recesses 39, 40 of the openings, and the way in which the longitudinal knife is positioned and movable in the opening. Also, Fig. 8 shows that the opening has a size greater than the cross section of the longitudinal knife.

With respect to the wording in Claim 12 reciting the means for securing the transverse knives to the girders, column 3, lines 25-29 of the original patent describes, by way of example, that the transverse knives can be secured to the frame girders by welding. Also, the patent describes at, for example, lines 12-16 of column 4 and near the bottom portion of column 4 the way in which openings in the transverse knives are aligned with and receive the longitudinal knives. Further, Fig. 6 illustrates the longitudinal knives arranged in pairs and passing through aligned openings in the transverse knives.

Finally, the phrase "extension element" previously set forth in Claims 12-14 has been changed to "part." In this regard, the description at the top portion of column 5, and other places, refers to the part (bent part) of the U-shaped longitudinal

knives that joins pairs of the longitudinal knives. Fig. 6 also illustrates this part (bent part).

In light of the foregoing, withdrawal of the claim rejection based on the first paragraph of 35 U.S.C. § 112 is respectfully requested.

As noted above, Claims 8, 9 and 14 presented here differ from the versions of those claims originally submitted with this application for reissue in that the phrase "fixing pin" has been changed to --pin--. The term "pin" finds support at, for example, lines 21, 26 and 31 of column 5 of the original patent.

Also, the versions of Claims 12-14 presented here differ from the versions of those claims originally submitted with this application for reissue in that the phrase "extension element" has been changed to "part." As noted above, support for this wording exists at, for example, line 6 of column 5 referring to the part (bent part) of the U-shaped longitudinal knives. Fig. 6 also provides support for this language. .

Claim 14 presented here differs from the previously submitted version of that claim in that Claim 14 here sets forth that the part (i.e., the part that is secured to the longitudinal knives at the opposite ends of the longitudinal knives) is a bent part joining an adjacent pair of the longitudinal knives of unequal length. Support for this wording exists at the top of column 5 of the original patent.

Finally, the version of Claim 8 submitted here differs from the version of Claim 8 originally submitted with this application for reissue in that the version of Claim 8 presented here recites that the means for preventing the longitudinal knives from longitudinal movement relative to the transverse knives comprises the pin. Support for this reference to the pin exists in the description beginning in line 21 of column 5 of the original patent.

Support for the features recited in Claims 17-19 presented in this Amendment can be found at, for example, lines 18-40 of column 6 of the original patent, and Figs. 16 and 17.

It is believed that this application is in condition for allowance and such action is earnestly solicited.

Should any questions arise in connection with this application or should the Examiner believe that a telephone conference with the undersigned would be helpful in resolving any remaining issues pertaining to this application the undersigned respectfully requests that he be contacted at the number indicated below.

Respectfully submitted,

BUCHANAN INGERSOLL PC

Date: May 1, 2006

By: 

Matthew L. Schneider
Registration No. 32,814

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

Identification of Changes to Claims 8, 9, 12, 13 and 14

8. (Once Amended) The cutting frame according to claim 7, wherein the longitudinal knives have openings, and wherein the girders have openings aligned with the openings in the longitudinal knives, and ~~including a fixing~~ wherein the means for preventing the longitudinal knives from longitudinal movement relative to the transverse knives comprises a pin extending through the longitudinal knives openings and through the girder openings that are aligned with the longitudinal knives openings.

9. (Once Amended) The cutting frame according to claim 8, wherein the cross section of the openings in the longitudinal knives is sufficiently greater than the cross-sections of the ~~fixing~~ pin to provide space in the openings around the ~~fixing~~ pin.

12. (Once Amended) A cutting frame comprising:

a pair of girders, said girders being spaced apart from each other and having a plurality of transverse knives extending between the girders, means for securing the transverse knives to the girders,

a plurality of longitudinal knives arranged in substantially parallel relation to the girders and being spaced apart from each other, the longitudinal knives being secured against longitudinal displacement relative to the girders,

the transverse knives having a plurality of openings in alignment with the longitudinal knives and through which the longitudinal knives pass, the longitudinal knives being arranged in pairs, and a part ~~an extension element~~ being secured to the

longitudinal knives at the opposite ends of the longitudinal knives, the part extension element joining pairs of the longitudinal knives.

13. (Once Amended) The cutting frame according to claim 12, wherein the part extension element has a "U" shape.

14. (Once Amended) The cutting frame according to claim 13, wherein the ~~extension element extends at least to the middle of the cutting frame, and including a fixing pin extending through the extension element and an adjacent longitudinal knife for securing the extension element~~ part is a bent part joining an adjacent pair of the longitudinal knives of unequal length.